

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDWARD WALSH,

Plaintiff,

- against -

WOR RADIO a/k/a BUCKLEY  
BROADCASTING COMPANY,

Defendant.

Index No.: 003729/07

**DECLARATION OF**  
**WILLIAM E. ZUCKERMAN**

William E. Zuckerman, an attorney duly admitted to practice in this Court, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a member of the firm of Kauff McClain & McGuire LLP, attorneys for defendant Buckley Broadcasting Corp. ("BBC") (erroneously denominated "WOR Radio a/k/a Buckley Broadcasting Company" in the Complaint). I am familiar with all the facts and circumstances set forth in this declaration. I make this declaration in further support of BBC's motion to dismiss or, in the alternative, to stay pending arbitration.

2. I have spoken by phone with plaintiff's counsel, John R. Keough, III, several times regarding this matter. In more than one conversation, Mr. Keough expressed to me that his client, Edward Walsh, contended that he reached a binding oral agreement with BBC's General Manager, Robert Bruno, to extend the term of the parties' then existing written agreement for an additional three years. According to Mr.

Keough, Messrs. Walsh and Bruno orally agreed that the only modification to the written agreement in the new agreement was that Mr. Walsh would receive an additional week's vacation in each year of the new term.

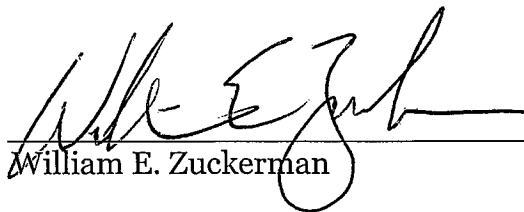
3. During one of those discussions, Mr. Keough advised me that Mr. Walsh had sent a letter to Mr. Bruno at BBC in August 2006, and that the letter made the same contention – that the parties had orally agreed to extend the term of the written agreement with the adjustment in vacation time. At my request, Mr. Keough faxed me a copy of a letter from Mr. Walsh to Mr. Bruno, dated August 14, 2006. Mr. Bruno confirmed to me that he received that letter from Mr. Walsh, on or about August 14, 2006, and Mr. Bruno provided me with a copy of the letter, which is identical to the copy I received from Mr. Keough. A true and correct copy of Mr. Walsh's letter to Mr. Bruno is attached hereto as Exhibit A.

4. This firm represents BBC with respect to various labor-management issues, including the negotiation of certain labor agreements. The 1994-1997 National Code of Fair Practice for Commercial Radio Broadcasting (the "National Code"), attached to BBC's moving brief as Exhibit C, is a true and correct copy of the most recent complete agreement, which was confirmed to us by the American Federation of Television and Radio Artists ("AFTRA"), the labor union and party to the National Code. In addition, AFTRA and the signatory employers, including BBC, have agreed to a series of Memoranda of Agreement ("MOAs") extending the term of the National Code, true and correct copies of which are attached hereto as Exhibit B. Although these agreements are not signed by the parties, we have been advised by

AFTRA that the National Code and the MOAs nevertheless constitute the operative collective bargaining agreements covering the specified categories of radio artists.

5. After Mr. Walsh and AFTRA filed an arbitration demand with the American Arbitration Association (the "AAA") seeking the same relief sought in the instant action, Mr. Keough and I spoke by telephone on several occasions, and I also spoke more than once with Sean Taylor, AFTRA's Assistant Executive Director and Counsel. At no time did I suggest to Mr. Keough or Mr. Taylor that BBC was not prepared to arbitrate Mr. Walsh's claims. In fact, we discussed the scheduling of dates for the arbitration proceeding. In order to permit the parties sufficient time to explore settlement, however, the parties mutually agreed to hold the arbitration in abeyance for 45 days. A true and correct copy of Mr. Taylor's letter dated November 28, 2006, to the AAA requesting that the arbitration be held in abeyance is attached hereto as Exhibit C.

6. After Mr. Walsh commenced the instant action, I spoke to Mr. Keough by telephone on May 16, 2007, in order to convey BBC's proposal that BBC would agree to expedite the pending arbitration demanded by Mr. Walsh if Mr. Walsh were to agree to dismiss the instant matter without prejudice. In a subsequent telephone conversation, Mr. Keough advised me that Mr. Walsh rejected BBC's proposal.



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Dated: New York, New York  
August 24, 2007

# **EXHIBIT A**

OCT 16 2006 12:09 PM FR WAESCHE SHEINBAUM12 267 5767 TO 12129093501,

P.02

340 E. 64<sup>th</sup> St., Apt. 20 B  
New York, NY 10021

August 14, 2006

Mr. Bob Bruno  
Vice President/General Manager  
WOR Radio  
111 Broadway  
New York, NY 10006

BY HAND

Dear Bob,

Pursuant to our discussions, most recently last Thursday at lunch, please effect the following changes in my new contract:

Paragraph 3 to reflect a period of three years commencing September 25, 2006

Paragraph 5 to reflect four weeks vacation

The remainder of the Agreement will be identical to that of the current Agreement. I'd very much appreciate executing a countersigned copy at your earliest convenience and, in any case, prior to the expiration of the current document.

I eagerly look forward to continuing my career under your leadership and at WOR and Buckley Broadcasting Corporation.

Sincerely,

Edward Walsh

# **EXHIBIT B**

1997-1998 AFTRA Code of Fair Practice for Commercial Radio Broadcasting

Memorandum of Agreement

February 23, 1998

This document constitutes the memorandum of Agreement relating to the 1997 Negotiations between AFTRA and ABC and CBS. The provisions of this memorandum represent modifications to the 1994-1997 Code. The terms of the 1994-1997 Code are hereby incorporated herein, except as modified herein and subject to conforming change. The provisions of this memorandum are not stated in contract language, except where the context clearly indicates otherwise.

1. Term of Agreement

One year, effective November 16, 1997 through November 15, 1998.

2. General Program Fee Increases:

All program fees, excluding news, shall be increased by 3% effective February 23, 1998. News fees shall be increased in accordance with the 1997 Network Staff Newspersons negotiations. See rate sheet.

3. Services in FM

Delete Paragraph 72.

\_\_\_\_\_  
Bruce A. York  
National Executive Director  
AFTRA

\_\_\_\_\_  
Date

PRODUCER ACCEPTED AND AGREED:

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

## 1997-98 AFTRA National Code of Fair Practice for Commercial Radio Broadcasting

## --- Rate Sheet ---

## 1. Actors: Program Fees

Broadcast Fee:	<u>Length of Program</u>	<u>11/16/97</u>	<u>2/23/98</u>
	5 minutes or less	44.00	45.25
	Over 5 to 15 minutes	47.00	48.50
	Over 15 to 30 minutes	78.00	80.25
	Over 30 to 60 minutes	110.00	113.25
Re-Broadcast Fee:	<u>Length of Program</u>	<u>11/16/97</u>	<u>2/23/98</u>
	5 minutes or less	23.00	23.75
	Over 5 to 15 minutes	32.00	33.00
	Over 15 to 30 minutes	40.00	41.25
	Over 30 to 60 minutes	54.00	55.30

## 7. Optional Method of Payment/Syndication

<u>11/16/97</u>	<u>2/23/98</u>
\$65.00	\$67.00

## 7A. Standard Openings and Closings

Actors	\$278.50 per performer
Solo/Duo	139.25 per performer
Singers: Group 3-8	83.50 per performer
Singers: Group 9 or more	66.75 per performer

## 8. Singers/Program Fees

Programs of 5 minutes or less (includes 1<sup>st</sup> hour of rehearsal)

	<u>Broadcast Fee</u>	<u>Broadcast Fee</u>	<u>Re-Broadcast Fee</u>	<u>Re-Broadcast Fee</u>
	<u>11/16/97</u>	<u>2/23/98</u>	<u>11/16/97</u>	<u>2/23/98</u>
Soloists	\$88.00	\$90.75	\$30.00	\$31.00
Group of 2,3, or 4	67.00	69.00	19.00	19.50
Group of 5	58.00	59.75	18.00	18.50
Group of 6	55.00	56.75	18.00	18.50
Group of 7	45.00	46.25	17.00	17.50
Group of 8	43.00	44.25	17.00	17.50
Group of 9	42.00	43.25	15.00	15.50
Group of 10	40.00	41.25	15.00	15.50
Group of 11	39.00	40.25	15.00	15.50
Group of 12	37.00	38.00	15.00	15.50
Group of 13	36.00	37.00	15.00	15.50
Group of 14 or more	36.00	37.00	14.00	14.50



## Over 5 to 15 minutes

	Broadcast Fee <u>11/16/97</u>	Broadcast Fee <u>2/23/98</u>	Re-Broadcast Fee <u>11/16/97</u>	Re-Broadcast Fee <u>2/23/98</u>
Soloists	\$117.00	\$120.50	\$43.00	\$44.25
Group of 2,3, or 4	86.00	88.50	30.00	31.00
Group of 5	75.00	77.25	28.00	28.75
Group of 6	68.00	70.00	26.00	27.75
Group of 7	56.00	57.75	25.00	25.75
Group of 8	53.00	54.50	24.00	24.75
Group of 9	49.00	50.50	23.00	23.75
Group of 10	47.00	48.50	23.00	23.75
Group of 11	45.00	46.25	23.00	23.75
Group of 12	43.00	44.25	22.00	22.75
Group of 13	43.00	44.25	22.00	22.75
Group of 14 or more	41.00	42.25	22.00	22.75

## Over 15 to 30 minutes

	Broadcast Fee <u>11/16/97</u>	Broadcast Fee <u>2/23/98</u>	Re-Broadcast Fee <u>11/16/97</u>	Re-Broadcast Fee <u>2/23/98</u>
Soloists	\$142.00	\$146.75	\$50.00	\$51.50
Group of 2,3, or 4	100.00	103.00	36.00	37.00
Group of 5	88.00	90.75	31.00	32.00
Group of 6	83.00	85.50	31.00	32.00
Group of 7	66.00	68.00	29.00	29.75
Group of 8	63.00	65.00	28.00	28.75
Group of 9	60.00	61.75	26.00	26.75
Group of 10	56.00	57.75	26.00	26.75
Group of 11	53.00	54.50	24.00	24.75
Group of 12	50.00	51.50	24.00	24.75
Group of 13	47.00	48.50	23.00	23.75
Group of 14 or more	46.00	47.50	22.00	22.75

## Over 30 to 45 Minutes

	Broadcast Fee <u>11/16/97</u>	Broadcast Fee <u>2/23/98</u>	Re-Broadcast Fee <u>11/16/97</u>	Re-Broadcast Fee <u>2/23/98</u>
Soloists	\$174.00	\$179.25	\$58.00	\$59.75
Group of 2,3, or 4	116.00	119.50	41.00	42.25
Group of 5	103.00	106.00	36.00	37.00
Group of 6	94.00	96.75	35.00	36.00
Group of 7	76.00	78.25	33.00	34.00
Group of 8	72.00	74.25	31.00	32.00
Group of 9	67.00	69.00	31.00	32.00
Group of 10	64.00	66.00	29.00	29.75
Group of 11	61.00	62.75	28.00	28.75
Group of 12	60.00	61.75	26.00	26.75
Group of 13	54.00	55.50	26.00	26.75
Group of 14 or more	52.00	53.50	26.00	26.75

## Over 45 to 60 minutes

	<u>Broadcast Fee</u>	<u>Broadcast Fee</u>	<u>Re-Broadcast Fee</u>	<u>Re-Broadcast Fee</u>
	<u>11/16/97</u>	<u>2/23/98</u>	<u>11/16/97</u>	<u>2/23/98</u>
Soloists	\$202.00	\$208.00	\$65.00	\$67.00
Group of 2,3, or 4	130.00	134.00	46.00	47.50
Group of 5	117.00	120.50	41.00	42.25
Group of 6	108.00	111.25	40.00	41.25
Group of 7	87.00	89.50	37.00	38.00
Group of 8	82.00	84.50	36.00	37.00
Group of 9	76.00	78.25	35.00	36.00
Group of 10	72.00	74.25	32.00	33.00
Group of 11	72.00	74.25	31.00	32.00
Group of 12	64.00	66.00	31.00	32.00
Group of 13	61.00	62.75	30.00	31.00
Group of 14 or more	58.00	59.75	30.00	31.00

## 17. Announcers: Program Fees

<u>Program Length</u>	<u>Broadcast Fee</u>	<u>Broadcast Fee</u>	<u>Re-broadcast Fee</u>	<u>Re-broadcast Fee</u>
	<u>11/16/97</u>	<u>2/23/98</u>	<u>11/16/97</u>	<u>2/23/98</u>
15 minutes or less	\$50.00	\$51.50	\$33.00	\$34.00
Over 15 to 30 minutes	83.00	85.50	42.00	43.25
Over 30 to 60 minutes	117.00	120.50	58.00	59.75

## 17A. Show Announcers (New):

<u>Program Length</u>	<u>Broadcast Fee</u>	<u>Re-broadcast Fee</u>
	<u>2/23/98</u>	<u>2/23/98</u>
15 minutes or less	\$50.00	\$33.00
Over 15 to 30 minutes	83.00	42.00
Over 30 to 60 minutes	117.00	58.00

The rates set forth in Par. 17A for "show announcers" are applicable only to announcers performing limited services on a program such as non-commercial liners, intros, bridges, etc.

## 19. Announcers: 13-Week Guaranteed Terms

Minimum Weekly Compensation – Broadcast Fee

<u>Times Per Week</u>	<u>11/16/97</u>	<u>2/23/98</u>
5	\$280.00	\$284.50
6	\$325.00	\$334.75

Minimum Weekly Compensation – Re-broadcast Fee

<u>Times Per Week</u>	<u>11/16/97</u>	<u>2/23/98</u>
5	\$137.00	\$141.00
6	\$157.00	\$161.75

## Special Provisions

23(a) Announcers: When a prior recording is made in connection with a five (5) times a week live broadcast, the fee for five (5) such recordings shall be \$146.000 effective 11/16/97 (\$150.50 effective 2/23/98).

23(c)-(i) Announcers and News Reporters (Increases Subject to Network Staff News Increase)

## (c) Network News Broadcasts

<u>Program Length</u>	<u>Broadcast Fee</u>	<u>Re-Broadcast Fee</u>
5 minutes or less	\$72.00	34.00
Over 5 to 10 minutes	78.00	39.00
Over 10 to 15 minutes	79.00	42.00
Over 15 to 30 minutes	98.00	57.00
Over 30 to 60 minutes	128.00	60.00
Over 60 to 90 minutes	159.00	72.00
Over 90 to 120 minutes	190.00	88.00

5 minute local news broadcasts,  
not less than 2/day, originating in NYC: \$25.00/broadcast

10 to 15 minute local news broadcasts  
originating in New York City: \$80.00/broadcast

Local programs of 5 minutes  
or less broadcast on one station in NYC: \$35.00/program

(d) News cut-ins released to one station in NYC: \$33.00

(e) Local News cut-ins (NYC): \$33.00

(f) Network cut ins: \$47.00

(i) News Service: \$25.25 for each story.

## 24. Sportscasters

## (a) Championship Events

Sportscasters: \$546.00 (\$562.50 effective 2/23/98)  
Asst. Sportscasters: \$384.00 (\$395.50 effective 2/23/98)

## (b) Major League Baseball Double header

Sportscasters: \$440.00 (\$453.25 effective 2/23/98)  
Asst. Sportscaster: \$315.00 (\$324.50 effective 2/23/98)

## (c) All other events

Per Event

Sportscasters: \$378.00 (\$389.25 effective 2/23/98)  
 Asst. Sportscasters: \$258.00 (\$265.75 effective 2/23/98)

Weekly Rate

Sportscasters: \$1,064.00 (\$1,096.00 effective 2/23/98)  
 Asst. Sportscasters: \$ 681.00 (\$ 701.50 effective 2/23/98)

## 46. Extras &amp; Supernumeraries:

Broadcast fee: \$15.00 (\$15.50 effective 2/23/98)  
 Re-Broadcast fee: \$10.00 (\$10.25 effective 2/23/98)

## 48. Dramatic Signatures:

5 programs per week

Broadcast fee: \$104.00 (\$107.00 effective 2/23/98)  
 Re-Broadcast fee: \$25.00 (\$ 25.75 effective 2/23/98)

Single Broadcast:

Broadcast fee: \$21.00 (\$21.75 effective 2/23/98)  
 Re-Broadcast fee: \$ 4.50 (\$ 4.75 effective 2/23/98)

**AFTRA National Code of Fair Practice for Commercial Radio Broadcasting**  
Summary of Changes to the 1994-1997 Code as Extended

For the period beginning November 16, 1998 through November 15, 2003

1. Term of Agreement: 5 years; 11/16/98 – 11/15/03
2. Minimums: Increase rates by 3% effective 11/16/99, 3% effective 11/16/00, and 3% effective 11/16/01. Show Announcer rate to increase 5% on 11/16/00.
3. AFTRA Health and Retirement Contributions: Effective January 1, 2000, the annual cap on earnings upon which AFTRA H&R contributions are required shall be the then-current IRS cap. In the event that, during the term of the Agreement, AFTRA wishes to discuss allocating a percentage of the contractual contribution rate to the AFTRA IAP Plan, ABC and CBS agree to meet and discuss the issues with AFTRA.
4. Deletion of obsolete provisions:
  - a) Preamble subparagraphs 3 and 7 (p. 1)
  - b) Paragraph 54, Standard Engagement (p. 26) (references to Sustaining Code).
  - c) Paragraph 72, Services in FM (p. 37) (references to Sustaining Code)
  - d) Paragraph 79, M and O Stations (p. 38)
5. Terminology: Update references from “sexual preference” to “sexual orientation” (Paragraph 61).
6. Producer Bound: Track resolution under Network Television Code (Paragraph 82).
- 6A. Corporate Names: Change as appropriate.
7. NCAA Final Four: Relocate to proper category under “College Basketball.”

**SCHEDULE OF MINIMUM FEES AND CONDITIONS FOR RADIO ARTISTS APPEARING ON  
COMMERCIAL PROGRAMS USING THE FACILITIES OF THE AMERICAN BROADCASTING  
COMPANIES, INC. AND CBS INC.**

**ACTORS**

**1. PROGRAM FEES**

**Broadcast Fee:**

<b>Length of Program</b>	<b>11/16/98</b>	<b>11/16/99</b>	<b>11/16/00</b>	<b>11/16/01</b>
5 minutes or less	\$45.25	\$46.50	\$48.00	\$49.50
Over 5 to 15 minutes	48.50	50.00	51.50	53.00
Over 15 to 30 minutes	80.25	82.75	85.25	87.75
Over 30 to 60 minutes	113.25	116.75	120.25	123.75

**Re-Broadcast Fee:**

<b>Length of Program</b>	<b>11/16/98</b>	<b>11/16/99</b>	<b>11/16/00</b>	<b>11/16/01</b>
5 minutes or less	\$23.75	\$24.50	\$25.25	\$26.00
Over 5 to 15 minutes	33.00	34.00	35.00	36.00
Over 15 to 30 minutes	41.25	42.50	43.75	45.00
Over 30 to 60 minutes	55.50	57.25	59.00	60.75

*Rates for Programs in Excess of One Hour:*

In all programs of more than one hour in length, the applicable one - hour rate plus, for each half-hour or part thereof over and above one hour, a sum equal to the difference between the applicable hour rate and the applicable half-hour rate.

*Multiple Performances - One Calendar Week:*

When an actor is engaged for multiple performances in one calendar week in the same show, the Producer may apply a non-cumulative discount to the program fee applicable to the number of performances per week, to the extent shown in the following schedules provided that the program utilizes the services of more than one performer, which shall include one or more actors or singers:

**Programs of 15 minutes in length**

**Number of Performances**

<b>Per Week</b>	<b>Discount</b>
4	5%
5	10%

**Programs over 15 minutes in length**

**Number of Performances**

<b>Per Week</b>	<b>Discount</b>
3	5%
4	5%
5	10%

## 2. REHEARSAL

\$10.00 per hour, first hour required, except for program of five minutes or less in length, in which case the basic fee includes payment for the first hour of rehearsal. After first hour rehearsal may be computed and paid in half-hour periods at the rate of \$5.00 per half or part thereof. Each rehearsal session shall be computed and paid for as a separate unit and no such session shall be computed as less than one hour. Individual compensation shall be on the basis of time contracted for, but additional rehearsal time may be requested and if agreed to, paid for.

## 3. THIRTEEN WEEKS' CONTINUOUS GUARANTEE

- (a) When a producer on a fifteen minute dramatic strip show by written contract with the actor guarantees a thirteen weeks' continuous non-cancelable engagement on such show, the producer may discount the actor's scales to the extent shown in the following schedule if the producer guarantees the actor the minimum amount shown in the schedule, no matter whether he plays or rehearses or not. Base rate on rehearsals when such discount is effective is \$10.00 per hour. The schedule follows:

*Single Broadcast Per Day:*

Number of Appearances Minimum Per Week	Discount	Guaranteed Minimum 11/16/98	Guaranteed Minimum 11/16/99	Guaranteed Minimum 11/16/00	Guaranteed Minimum 11/16/01
5	15%	\$304.00	\$313.00	\$322.50	\$332.25
4	10%	291.00	299.75	308.75	318.00
3	5%	233.00	240.00	247.25	254.50

*Broadcast and Repeat:*

Number of Appearances Minimum Per Week	Discount	Guaranteed Minimum 11/16/98	Guaranteed Minimum 11/16/99	Guaranteed Minimum 11/16/00	Guaranteed Minimum 11/16/01
5	15%	\$407.00	\$419.25	\$431.75	\$444.75
4	10%	363.00	374.00	385.00	396.75
3	5%	334.00	344.00	354.25	365.00

*Advance Recording Plus Live Network Broadcast (Each appearance means one for recording and one or live):*

Number of Appearances Minimum Per Week	Discount	Guaranteed Minimum 11/16/98	Guaranteed Minimum 11/16/99	Guaranteed Minimum 11/16/00	Guaranteed Minimum 11/16/01
5	15%	\$464.00	\$478.00	\$492.25	\$507.00
4	10%	420.00	432.50	445.50	459.00
3	5%	334.00	344.00	354.25	365.00

The compensation which shall be paid to the performer under a thirteen weeks' continuous guarantee contract as above specified shall be the applicable fees plus rehearsal pay, less the discount above set forth, or the guaranteed minimum, whichever is higher.

- (b) On written guaranteed continuous thirteen weeks' non-cancelable engagements of actors for shows of a half-hour or longer, a discount from scale of ten percent of the basic scale is allowed.

4. RENEWAL OF GUARANTEED ENGAGEMENT

When an artist is engaged under a minimum 13 weeks, continuous guaranteed, non-cancelable contract, and producer desires to renew such engagement, he shall give artist not less than two weeks' written notice of such intention prior to termination of any 13 week period, and such renewal shall be effective on acceptance by the artist.

5. PROGRAM AUDITIONS

Program auditions shall be paid for at one-half the broadcast fee. Rehearsal time for auditions shall be paid for at the full rate specified for regular broadcasts. This compensation is for program auditions; voice tests may be made without compensation but the producer shall not use this privilege unreasonably.

6. DRAMATIZED COMMERCIALS

When the actor or singer is engaged for a dramatized commercial, the following minimum scale shall apply:

Length of Program	Broadcast Fee
15 minutes or less	\$36.00
Over 15 to 30 minutes	48.25
Over 30 to 60 minute	59-75

Length of Program	Re-Broadcast Fee
15 minutes or less	\$17.75
Over 15 to 30 minutes	24.00
Over 30 to 60 minutes	29.75

*Rates for Programs in Excess of One Hour:*

In all programs of more than one hour in length, the applicable one-hour rate plus, for each half-hour or part thereof over and above one hour, a sum equal to the difference between the applicable hour rate and the applicable half-hour rate.

A fifteen minute rehearsal period prior to the dress rehearsal and the dress rehearsal may be included in the foregoing scale. The foregoing rates shall cover all dramatized commercials for a single sponsor on a program. In the case of a dramatized commercial used on a program of five minutes or less in length, the actors and singers rendering services in such dramatized commercial shall be paid either the rate set forth in this Paragraph 6 for Dramatized Commercials or the rate provided in Paragraph 1 (Actors) and Paragraph 8 (Singers) for a program of five minutes or less in length, whichever is less.

7. OPTIONAL METHOD OF PAYMENT/SYNDICATION

The Company may have twelve (12) months' unlimited use in syndication of a five (5) minute or less program for a fee of \$67.00 (\$69.00 effective 11/16/99; \$71.00 effective 11/16/00, \$73.25 effective 11/16/01), including one-half (1/2) hour of rehearsal. This method of payment is limited to up to two (2) performers from the categories of actor/announcer/narrator.

7A. STANDARD OPENINGS AND CLOSINGS

Any performer who performs (or permits a portion of a prior performance to be used) in standard openings and closings, and musical signatures for a program broadcast in conjunction with any episode(s) of a series or serial in which the performer does not otherwise perform may be paid on a per-episode basis or a per 13-week basis. The amount payable on the per-episode basis shall be the applicable minimum program fee. The amount payable on the 13-week basis shall be the following rate per performer for each 13-week period during which such broadcasts occur:



Actors	\$ 278.50 per performer
Solo/Duo	139.25 per performer
Singers: Group 3-8	83.50 per performer
Singers: Group 9 or more	66.75 per performer

The above rates include unlimited multiple tracking and/or sweetening.

## 8. PROGRAM AND REHEARSAL FEES, SINGERS

Program Length5 Min. or less (Includes 1st hour. of rehearsal)

	Broadcast Fee 11/16/98	Broadcast Fee 11/16/99	Broadcast Fee 11/16/00	Broadcast Fee 11/16/01	Rebroadcast Fee 11/16/98	Rebroadcast Fee 11/16/99	Rebroadcast Fee 11/16/00	Rebroadcast Fee 11/16/01	Rehearsal per Person Additional Qtr Hr. or
Soloists	\$90.75	\$93.50	\$96.25	\$99.25	\$31.00	\$32.00	\$33.00	\$33.75	\$2.50
Group of 2,3, 4	69.00	71.00	73.25	75.50	19.50	20.00	20.75	21.25	2.00
Group of 5	59.75	61.50	63.50	65.25	18.50	19.00	19.75	20.25	2.00
Group of 6	56.75	58.50	60.25	62.00	18.50	19.00	19.75	20.25	2.00
Group of 7	46.25	47.75	49.00	50.50	17.50	18.00	18.50	19.00	2.00
Group of 8	44.25	45.50	47.00	48.25	17.50	18.00	18.50	19.00	2.00
Group of 9	43.25	44.50	46.00	47.25	15.50	16.00	16.50	17.00	1.50
Group of 10	41.25	42.50	43.75	45.00	15.50	16.00	16.50	17.00	1.50
Group of 11	40.25	41.50	42.75	44.00	15.50	16.00	16.50	17.00	1.50
Group of 12	38.00	39.25	40.25	41.50	15.50	16.00	16.50	17.00	1.50
Group of 13	37.00	38.00	39.25	40.50	15.50	16.00	16.50	17.00	1.50
Group of 14 or more	37.00	38.00	39.25	40.50	14.50	15.00	15.50	16.00	1.50

Over 5 to 15 minutes

	Broadcast Fee 11/16/98	Broadcast Fee 11/16/99	Broadcast Fee 11/16/00	Broadcast Fee 11/16/01	Rebroadcast Fee 11/16/98	Rebroadcast Fee 11/16/99	Rebroadcast Fee 11/16/00	Rebroadcast Fee 11/16/01	Rehearsal rate per Person - First Hr. Required	Rehearsal rate per Person Additional Qtr. Hr. or Part Thereof
Soloists	\$120.50	\$124.00	\$128.00	\$131.75	\$44.25	\$45.50	\$47.00	\$48.50	\$10.00	\$2.50
Group of 2, 3, 4	88.50	91.25	94.00	96.75	31.00	32.00	33.00	33.75	8.00	2.00
Group of 5	77.25	79.50	82.00	84.50	28.75	29.50	30.50	31.50	8.00	2.00
Group of 6	70.00	72.00	74.25	76.50	27.75	28.50	29.50	30.25	8.00	2.00
Group of 7	57.75	59.50	61.25	63.00	25.75	26.50	27.25	28.25	8.00	2.00
Group of 8	54.50	56.25	57.75	59.50	24.75	25.50	26.25	27.00	8.00	2.00
Group of 9	50.50	52.00	53.50	55.25	23.75	24.50	25.25	26.00	6.00	1.50
Group of 10	48.50	50.00	51.50	53.00	23.75	24.50	25.25	26.00	6.00	1.50
Group of 11	46.25	47.75	49.00	50.50	23.75	24.50	25.25	26.00	6.00	1.50
Group of 12	44.25	45.50	47.00	48.50	22.75	23.50	24.25	24.75	6.00	1.50
Group of 13	44.25	45.50	47.00	48.50	22.75	23.50	24.25	24.75	6.00	1.50
Group of 14 or More	42.25	43.50	44.75	46.25	22.75	23.50	24.25	24.75	6.00	1.50

Over 15 to 30 minutes

	Broadcast Fee 11/16/98	Broadcast Fee 11/16/99	Broadcast Fee 11/16/00	Broadcast Fee 11/16/01	Rebroadcast Fee 11/16/98	Rebroadcast Fee 11/16/99	Rebroadcast Fee 11/16/00	Rebroadcast Fee 11/16/01	Rehearsal rate per person First Hour Required	Rehearsal rate per Person Additional Qtr. Hr. or part thereof
Soloists	\$146.75	\$151.25	\$155.75	\$160.25	\$51.50	\$53.00	\$54.75	\$56.25	\$10.00	\$2.50
Group of 2,3,4	103.00	106.00	109.25	112.50	37.00	38.00	39.25	40.50	8.00	2.00
Group of 5	90.75	93.50	96.25	99.25	32.00	33.00	34.00	35.00	8.00	2.00
Group of 6	85.50	88.00	90.75	93.50	32.00	33.00	34.00	35.00	8.00	2.00
Group of 7	68.00	70.00	72.25	74.25	29.75	30.75	31.50	32.50	8.00	2.00
Group of 8	65.00	67.00	69.00	71.00	28.75	29.50	30.50	31.50	8.00	2.00
Group of 9	61.75	63.50	65.50	67.50	26.75	27.50	28.50	29.25	6.00	1.50
Group of 10	57.75	59.50	61.25	63.00	26.75	27.50	28.50	29.25	6.00	1.50
Group of 11	54.50	56.25	57.75	59.50	24.75	25.50	26.25	27.00	6.00	1.50
Group of 12	51.50	53.00	54.75	56.25	24.75	25.50	26.25	27.00	6.00	1.50
Group of 13	48.50	50.00	51.50	53.00	23.75	24.50	25.25	26.00	6.00	1.50
Group of 14 or More	47.50	49.00	50.50	52.00	22.75	23.50	24.25	24.75	6.00	1.50

Over 30 to 45 minutes

	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Rehearsal rate per person First Hour Required	Rehearsal rate per Person Additional Qtr. Hr. or part thereof
Soloists	11/16/98	11/16/99	11/16/00	11/16/01	11/16/98	11/16/99	11/16/00	\$10.00	\$2.50
Group of 2,3,4	\$179.25	\$184.75	\$190.25	\$195.75	\$59.75	\$61.50	\$63.50	\$65.25	\$65.25
Group of 5	119.50	123.00	126.75	130.50	42.25	43.50	44.75	46.25	46.25
Group of 6	106.00	109.25	112.50	115.75	37.00	38.00	39.25	40.50	40.50
Group of 7	96.75	99.75	102.75	105.75	36.00	37.00	38.25	39.25	39.25
Group of 8	78.25	80.50	83.00	85.50	34.00	35.00	36.00	37.25	37.25
Group of 9	74.25	76.50	78.75	81.25	32.00	33.00	34.00	35.00	35.00
Group of 10	69.00	71.00	73.25	75.40	32.00	33.00	34.00	35.00	35.00
Group of 11	66.00	68.00	70.00	72.00	29.75	30.50	31.50	32.50	32.50
Group of 12	62.75	64.75	66.50	68.50	28.75	29.50	30.50	31.50	31.50
Group of 13	61.75	63.60	65.50	67.50	26.75	27.50	28.50	29.25	29.25
Group of 14 or more	55.50	57.25	59.00	60.75	26.75	27.50	28.50	29.25	29.25
	53.50	55.00	56.75	58.50	26.75	27.50	28.50	29.25	29.25

Over 45 to 60 minutes

	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Rehearsal rate per Person Additional Qtr. Hr. or part thereof \$2.50
Soloists	11/16/98	11/16/99	11/16/00	11/16/01	11/16/98	11/16/99	11/16/00	
	\$202.00	\$208.00	\$214.25	\$220.75	\$67.00	\$69.00	\$71.00	\$10.00
Group of 2,3,4	130.00	134.00	138.00	142.00	47.50	49.00	50.50	8.00
Group of 5	117.00	120.50	124.25	127.75	42.25	43.50	44.75	8.00
Group of 6	108.00	111.25	114.50	118.00	41.25	42.50	43.25	8.00
Group of 7	87.00	89.50	92.25	95.00	38.00	39.25	40.25	8.00
Group of 8	82.00	84.50	87.00	89.50	37.00	38.00	39.25	8.00
Group of 9	76.00	78.25	80.75	83.00	34.00	37.00	38.25	6.00
Group of 10	72.00	74.25	76.50	78.75	33.00	34.00	35.00	6.00
Group of 11	72.00	74.25	76.50	78.75	32.00	33.00	34.00	6.00
Group of 12	64.00	66.00	68.00	70.00	32.00	33.00	34.00	6.00
Group of 13	61.00	62.75	64.75	66.75	31.00	32.00	33.00	6.00
Group of 14 or More	58.00	59.75	61.50	63.50	31.00	32.00	33.00	6.00

*Multiple Performances - One Calendar Week*

When a singer is engaged for multiple performances in one calendar week in the same show, the Producer may apply a non-cumulative discount to the program fee applicable to the number of performances per week, to the extent shown in the following schedules provided that the program utilizes the services of more than one performer, which shall include one or more actors or singers:

Programs of 15 minutes in length		Programs over 15 minutes in length	
Number of Performances		Number of Performances	
Per Week	Discount	Per Week	Discount
4	5%	3	5%
5	10%	4	5%
		5	10%

9. **DEFINITION OF REHEARSAL**

All "called" rehearsals to be paid for at applicable rehearsal rates. However, soloists and groups of 2 to 6 inclusive will be permitted to prepare their own material for their own mutual benefit and at their own convenience and only with the person or persons responsible for coaching, accompanying or arranging for them and Dot in conjunction with any other act or orchestra without payment of an additional rehearsal fee.

10. **PROGRAM AUDITIONS FOR SINGERS**

Program auditions shall be paid for at one-half the broadcast fee. Rehearsal time for auditions shall be paid for at the full rate specified for regular broadcasts. This compensation is for program auditions; individual and group voice tests may be made without compensation, but the producer shall not use this privilege unreasonably.

11. **SPECIAL MINIMUM WORKING CONDITIONS FOR SINGERS**

- (a) Any performance must begin within twenty-four (24) hours of the original to be considered a re-broadcast; otherwise, first performance fee prevails.

No rehearsal shall be considered as less than-one (1) hour in duration except such rehearsal as is called immediately before or after performance. However, a singer may be required to stand by fifteen (15) minutes before a performance without payment of rehearsal fee, but there shall be no rehearsal during the said stand-by period.

- (c) There must be a rest period of five (5) minutes each hour in rehearsals of more than one (1) hour in duration.
- (d) On written guaranteed continuous thirteen (13) weeks' non-cancelable engagements of singers for shows of fifteen (15) minutes or longer, a discount from scale of ten (10) percent of the basic scale is allowed.

12. **SIGNATURE NUMBERS**

Signature numbers shall be at the rate of \$23.00 per person for the broadcast and \$11.50 per person for the re-broadcast, with dress rehearsal included. Exceptional situations such as traveling on the road will be met by waivers under Paragraph 74 of the Rules.

13. **INCIDENTAL SINGING BACKGROUND**

When incidental background singing is used in a dramatic production, and a singer or singers are engaged to create this atmosphere, the producer may apply for a waiver to pay such performer the applicable actor's rate and AFTRA, in its discretion, may grant the producer the right to pay such rate.

14. **NOTICE ON GROUP SINGERS**

Any individual member (not under contract) of a singing group who has appeared on six (6) or more consecutive programs shall receive at least two weeks' notice of discharge except for cause. However, any member who auditions for a program as a

member of a group shall, in the event that said group is accepted for the program, be considered to be a member of said group and may not be discharged without justifiable cause without AFTRA's consent as long as the group remains on said program or for a period of thirteen (13) weeks, whichever is less.

15. CONTRACTOR FOR GROUP SINGERS

- (a) When any member of a singing group of six (6) or more is requested to give any additional services, such as contacting singers, arranging for auditions, arranging rehearsals, or any other similar or supervisory duties, such person shall be paid at least twice the full applicable minimum fee.
- (b) If there is a choral director on the program, a member of the singing group shall be assigned as contractor and such person shall be paid at least 125% of the full applicable minimum fee if a member of a group of 3 to 5, and 135% of the full applicable minimum fee if a member of a group of 6 or more. In the absence of a contractor or leader, one member of each singing group shall be deputized by the singers to act as their deputy. All requests from the Producer, or Producer's authorized representative, relating to any matters governed by this Code shall be made through the singers' deputy. It shall be the deputy's responsibility to request a five-minute rest period each hour in rehearsals of more than one (1) hour in duration.
- (c) For every singing group of nine (9) or more, there shall be a contractor who shall perform any service commonly associated with the services of a contractor and shall be paid \$25 in excess of scale.

16. SINGERS - MULTIPLE TRACKING AND SWEETENING

*"Multiple tracking"* refers to singing the same part two or more times where separate soundtracks are recorded and a composite is made of separate renditions.

*"Sweetening"* refers to singing different parts or notes recorded at different times where separate sound tracks are made and a composite is made of separate renditions.

For broadcast of multiple tracking and/or sweetening on a program, a singer shall be entitled to a single payment equal to:

- (1) 33-1/3% of the applicable minimum program fee, which constitutes payment for unlimited multiple tracking, or  
66-2/3% of the applicable minimum program fee, which constitutes payment for unlimited sweetening and unlimited tracking.

No such payment shall be required for:

- (a) Mechanical over-dubbing where the broadcast includes no composite of separate renditions by the same singer, or
- (b) Guide tracks used only for rehearsal and not for broadcast, or
- (c) Multiple tracking and sweetening for rehearsal only, where there is no broadcast of any composite of separate renditions by the same singer.

## ANNOUNCERS

## 17. PROGRAM FEES

	Broadcast Fee	Broadcast Fee	Broadcast Fee	Broadcast Fee	Rebroadcast Fee	Rebroadcast Fee	Rebroadcast Fee	Rebroadcast Fee
Program Length	11/16/98	11/16/99	11/16/00	11/16/01	11/16/98	11/16/99	11/16/00	11/16/01
15 min. or less	\$51.50	\$53.00	\$54.75	\$56.25	\$34.00	\$35.00	\$36.00	\$37.25
Over 15 to 30 min.	85.50	88.00	90.75	93.50	43.25	44.50	46.00	47.25
Over 30 to 60 min.	120.50	124.00	127.75	131.75	59.75	61.50	63.50	65.25

*Rates for Programs in Excess of One Hour:* In all programs of more than one hour in length, the applicable one-hour rate plus, for each half-hour or part thereof over and above one hour, a sum equal to the difference between the applicable hour rate and the applicable half-hour rate.

*Rehearsal:* \$10.00 per hour, first hour required; after first hour, rehearsal may be computed and paid in half-hour periods at the rate of \$5.00 per half-hour or part thereof. Rehearsals for programs in excess of fifteen (15) minutes may be held in two sessions, each session to be computed and paid for as a separate unit and no such session shall be computed as less than one (1) hour. Individual compensation shall be based on the time contracted for, but additional rehearsal time may be requested and if agreed to, paid for.

17A. Show Announcers	<u>Broadcast Fee</u>		<u>Rebroadcast Fee</u>	
Program Length	<u>11/16/98</u>	<u>11/16/00</u>	<u>11/16/98</u>	<u>11/16/00</u>
15 minutes or less	\$50.00	\$52.50	\$33.00	\$34.75
Over 15-30 minutes	83.00	87.25	42.00	44.00
Over 30 to 60 minutes	117.00	122.75	58.00	61.00

These rates are applicable only to announcers performing limited services such as non-commercial liners, intros, bridges, etc.

## 18. MULTIPLE PERFORMANCES - ONE CALENDAR WEEK

When an announcer is engaged for multiple performances in one calendar week in the same show, the Producer may apply a non-cumulative discount to the program fee applicable to the number of performances per week, to the extent shown in the following schedules provided that the program utilizes the services of more than one performer, which shall include one or more actors and singers:

Programs of 15 minutes in length			Programs over 15 minutes in length		
Number of Performances			Number of Performances		
Per Week	Discount		Per Week	Discount	
4	5%		3	5%	
5	10%		4	5%	
			5	10%	

## 19. 13-WEEK GUARANTEED TERMS

- (a) When announcer is engaged for a commercial program for guaranteed terms of not less than thirteen (13) weeks, on 15 minute programs broadcast five (5) times or more a week, the following minimum weekly compensation may be provided:

Minimum Weekly Compensation- Broadcast Fee

Times Per Week	11/16/98	11/16/99	6/14/96	11/16/96
5	\$254.50	\$293.00	\$301.75	\$311.00
6	334.75	344.75	355.25	365.75

Minimum Weekly Compensation - Re-broadcast Fee

Times Per Week	11/16/98	11/16/99	11/16/00	11/16/01
5	\$141.00	\$145.25	\$149.50	\$154.00
6	161.75	166.50	171.50	176.75

In such cases of guaranteed term engagements at the weekly rate, 45 minute rehearsal time per day is included.

- (b) On written guaranteed continuous thirteen weeks' non-cancelable engagements of announcers for shows of a half-hour or longer, a discount from scale of ten percent of the basic scale is allowed.

20. NETWORK COMMERCIAL CUT-IN ANNOUNCEMENTS

Network commercial cut-in announcements shall be paid at the rate of \$18.75 for each such announcement.

Cut-ins are those announcements inserted on a network program but which are released to a lesser portion of the network but consisting of more than one (1) station (except that in New York the rate shall apply to a single station). The term "cut-ins" in this Paragraph 20 does not apply to news "cut-ins" under Paragraph 23.

21. HITCHHIKE ANNOUNCEMENTS AND COWCATCHER ANNOUNCEMENTS

Shall be paid at the rate of \$19.00 for each such announcement on a 15 minute program; \$26.00 for each such announcement on a half-hour program; \$32.35 for each such announcement on a one hour program. In the event more than one announcement is made on a program, the announcer shall be paid at the specified rate for each such announcement or at the basic announcer's minimum program and rehearsal rate, whichever is lower.

22. PROGRAM AUDITIONS

Shall be paid for at one-half the broadcast fee. Rehearsal time for auditions shall be paid for at the full rate specified for regular broadcasts. Voice tests may be had without compensation.

23. SPECIAL PROVISIONS

*ANNOUNCERS*

- (a) When a prior recording is made in connection with a five (5) times a week live broadcast, the fee for five (5) such recordings shall be \$150.50 (\$155.00 effective 11/16/99; \$159.75 effective 11/16/00; and \$164.50 effective 11/16/01).
- (b) The 45-minute rehearsal allowed for each of five (5) broadcasts may be computed as 225 minutes to be used by producer as desired within five days. If producer desires, he may use such rehearsal time for prior recordings and announcer agrees to allow fifteen (15) minute rehearsal for each live broadcast. These conditions apply only in connection with thirteen (13) week non-cancelable contracts.

*ANNOUNCERS AND NEWS REPORTERS*

- (c) News broadcasts:

- (i) On network news broadcasts, the rate for the announcer or reporter who delivers the news shall be as follows:

Program Length	Bdcst Fee 11/16/98	Bdcst Fee 11/16/99	Bdcst Fee 11/16/00	Bdcst Fee 11/16/01	Re- Bdcst Fee 11/16/98	Re- Bdcst Fee 11/16/99	Re-Bdcst Fee 11/16/00	Re- Bdcst Fee 11/16/01
5 min. or less	\$72.00	\$74.25	\$76.50	\$78.75	\$34.00	\$35.00	\$36.00	\$37.25
Over 5 to 10 min.	78.00	80.25	82.75	85.25	39.00	40.25	41.50	42.50
Over 10 to 15 min.	79.00	81.25	83.75	86.25	42.00	43.25	44.55	46.00
Over 15 to 30 min.	98.00	101.00	104.00	107.00	57.00	58.75	60.50	62.25
Over 30 to 45 min.	128.00	131.75	135.75	139.75	60.00	61.75	63.75	65.50
Over 45 to 60 min.	159.00	163.75	168.75	174.00	72.00	74.25	76.50	78.75
Over 60 to 90 min.	159.00	163.75	168.75	174.00	72.00	74.25	76.50	78.75
Over 90 to 120 min.	190.00	195.75	201.50	207.50	88.00	90.75	93.25	96.25

- (ii) On five (5) minute local news broadcasts with not less than two (2) per day, Originating in New York City only, the fee for the announcer or news reporter shall be \$25.00 (\$25.75 effective 11/16/99; \$26.50 effective 11/16/00; and \$27.25 effective 11/16/01) for each such broadcast.



- (iii) The rate for the announcer or news reporter who delivers the news on over 10 to 15-minute local news broadcasts originating in New York City only, shall be \$80.00 (\$82.50 effective 11/16/99; \$84.75 effective 11/16/00; and \$87.50 effective 11/16/01) for each such broadcast.
- (d) The rate for announcers or news reporters on local programs of five minutes or less in length broadcast over any one major station in New York City shall be \$35.00 (\$36.00 effective 11/16/99; \$37.75 effective 11/16/00; and \$38.25 effective 11/16/01), per program. Such rate shall not include any rehearsal. In the event rehearsal is required, there shall be a minimum of one half-hour paid for at the rate of \$5.75 per hour or part thereof.
- (e) News cut-ins of five minutes or less in length inserted on a network program which are released to one station in New York only shall be paid for at the rate of \$33.00 (\$34.00 effective 11/16/99; \$35.00 effective 11/16/00; and \$36.00 effective 11/16/01) per person for each such cut-in. For such payment any news cut-in covered by this Paragraph may be used for an unlimited number of broadcasts within 24 hours of the original broadcast; and for a further payment of \$25.00 or the applicable program rate, whichever is the lesser sum, such news cut-in may be used for an unlimited number of broadcasts for an additional seven (7) days.
- (f) News cut-ins of five (5) minutes or less in length inserted in a local New York news program of any length shall be paid for at the rate of \$31.00 (\$33.00 effective June 14, 1996) per person for each such cut-in, or the applicable program rate, whichever is the lesser sum. For such number of broadcasts within 24 hours of the original broadcast; and for a further payment of \$25.00 or the applicable program rate, whichever is the lesser sum, such news cut-in may be used for an unlimited number of broadcasts for an additional seven (7) days.
- (g) News cut-ins (originating from New York, Chicago, Hollywood, Los Angeles, San Francisco or Washington, D.C.) of five minutes or less in length broadcast on network news programs of any length shall be paid for at the rate of \$47.00 (\$48.50 effective 11/16/99; \$49.75 effective 11/16/00; and \$51.25 effective 11/16/01) per person for each such cut-in, or the applicable program rate, whichever is the lesser sum. For such payment any news cut-in covered by this Paragraph may be used for an unlimited number of broadcasts within 24 hours of the original broadcast; and for a further payment of \$38.00 or the applicable program rate, whichever is the lesser sum, such news cut-in may be used for an unlimited number of broadcasts for an additional seven (7) days.
- (h) Except as otherwise provided in subparagraph (i), nothing in this Code shall be construed as requiring the payment by Producer of additional compensation to any person for using an excerpt of five (5) minutes or less from a news program in any other news program.
- (i) News Service:
  - (1) Any person rendering services after December 1, 1967 on behalf of Producer in the field of news of the type covered by this Code, under Paragraph 57, who performs in live or recorded news stories not exceeding five (5) minutes in length which originate within the continental limits of the United States and which are made available by Producer for broadcast on a non-interconnected basis by two or more stations as a part of their local news programs shall be paid by Producer one single payment of \$25.25 (\$26.00 effective 11/16/99; \$26.75 effective 11/16/00; and \$27.50 effective 11/16/01) for each News story in which such person is heard, up to a maximum of \$50.50 (\$52.00 effective 11/16/99; \$53.50 effective 11/16/00; and \$55.00 effective 11/16/01) per person for all news stories made available by Producer on any day, provided:
    - (i) such person is employed by Producer in New York, Los Angeles, Chicago, San Francisco or Washington, D.C., and said news story originates from such city or originates from another city within the continental limits of the United States when such person is sent to such other city for the purpose of making such origination; or
    - (ii) such person's employment is otherwise covered under an AFTRA contract with a station if such contract covers services in the field of news.

For the payment made pursuant to this subparagraph (1), Producer may allow each local station either or both of the following: (a) an unlimited number of such broadcasts within 48 hours after the news story has first been made available by Producer hereunder; (b) one such broadcast after such 48-hour period but within seven (7) days after the news story has first been made available by Producer.

- (2) If a news story covered by this subparagraph (1) is broadcast by Producer on a network radio program, payments made for such network broadcast may be credited against any payments due under this paragraph.
- (3) If Producer assigns an announcer to perform introductions, lead-ins, fade-outs and the like for news stories made available for broadcast by local stations, Producer shall not permit any such local station to broadcast under the terms of this subparagraph (1) the voice of such announcer, as distinguished from the voices of the persons heard in such news stories.
- (4) Producer's total obligation for work which is covered only by this paragraph (i) shall be to make the payments specified in this paragraph and the applicable payments to the AFTRA Health and Retirement Funds.

With respect to news or public special events programs, if the program is two (2) hours or less in length, payment shall be made at the rates provided in this Code for the category of the person performing such services; but if the program is more than two (2) hours in length:

- (i) payment for services on such program shall be made at the two-hour rate plus an additional amount which shall be the subject of individual negotiation, provided that in the case of special events such as political conventions and the like, the said individual negotiation on behalf of the AFTRA member involved may be undertaken by the Local Executive Director of the appropriate AFTRA Local if the AFTRA member involved so desires;
- (ii) payment for services in one or more separate portions of the program shall be made for each separate portion as if it were a complete program, or instead, payment shall be in accordance with subdivision (i) above;
- (iii) payment for services on such program by staff newsmen and staff announcers shall be governed by the provisions of their respective staff agreements.

## 24. SPORTSCASTERS

Sportscasters and assistant sportscasters (color persons) shall be paid no less than the following rates per event:

- (a) Championship events - Sportscasters \$562.50 (\$579.50 effective 11/16/99; \$596.75 effective 11/16/00; and \$614.75 effective 11/16/01), assistant sportscasters \$395.50 (\$407.25 effective 11/16/99; \$419.50 effective 11/16/00; and \$432.25 effective 11/16/01).

Championship events are designated as follows:

- *College Football* - NCAA Championship game, Rose Bowl, Cotton Bowl, Sugar Bowl, Orange Bowl, Gator Bowl, Fiesta Bowl, Senior Bowl, North-South, Blue-Gray and East-West Shrine games
- *Professional Football* - National Conference and American Conference "College basketball" NCAA Final Four, Super Bowl, Pro Bowl; *major league baseball* - *World Series*, *League Championship Series*, *All-Star games*
- *Professional Boxing* - World Championship matches in all weight divisions
- *Professional Basketball* - NBA Championship Series
- *Professional Horse Racing* - Kentucky Derby, Belmont Stakes, Preakness
- *Professional Golf* - U.S. Open, Masters Golf Tournament, PGA and LPGA Championships
- *Professional Tennis* - *Wimbledon* and U.S. Open
- *Professional Hockey* - NHL Stanley Cup Final Series

- (b) Major league baseball double-header (other than one scheduled as a result of postponement, which is covered in subparagraph (c) hereof): Sportscasters \$453.25 (\$466.75 effective 11/16/99; \$480.75 effective 11/16/00; and \$495.25 effective 11/16/01); assistant sportscaster \$324.50 (\$334.25 effective 11/16/99; \$344.25 effective 11/16/00; and \$354.55 effective 11/16/01).

- (c) All other events - Sportscasters \$389.25 (\$401.00 effective 11/16/99; \$413.00 effective 11/16/00; and \$425.25 effective 11/16/01); assistant sportscasters \$265.75 (\$273.75 effective 11/16/99; \$282.00 effective 11/16/00; and \$290.50 effective 11/16/01). Weekly guarantee: The weekly rate, maximum of seven (7) events pay or play, shall be not less than \$1096.00 (\$1,129.00 effective 11/16/99; \$1,162.25 effective 11/16/00; and \$1,197.75 effective 11/16/01) per week for the play-by-play sportscaster; \$701.50 (\$722.50 effective 11/16/99; \$744.25 effective 11/16/00; and \$766.50 effective 11/16/01) per week for the assistant sportscaster (color person). A week means any seven consecutive days.

An event is whatever the daily ticket of admission buys; however, no event covered by subparagraph (a) and (b) hereof shall be included as an event for the purposes of the weekly rate provided in subparagraph (c) hereof.

## GENERAL SCHEDULE OF RULES

### 25. PROGRAMS COVERED BY COLLECTIVE BARGAINING AGREEMENT

- (a) *Network Programs Originating at Major Centers:* The terms and conditions covered by this agreement are for the engagement of radio artists on commercial "network" broadcast programs produced under the auspices of the Producer, on the "network" facilities of American Broadcasting Companies, Inc. (A Wholly Owned Subsidiary of ABC, Inc.) and CBS Inc., originating in New York, Chicago, Hollywood, Los Angeles, San Francisco or Washington, D.C. "Network" means two or more stations joined by wire for simultaneous broadcasting. On major stations in New York, the network rate shall apply to a broadcast from one such station except as modified by paragraph 37(b) of this Code. The following stations only are included in the term "major stations" in New York, namely: Stations WCBS, WABC, and WWOR. The rates in the Code do not apply to programs originating in Hollywood, Los Angeles or San Francisco, unless the same are available to stations in other than the eleven western states. Originations from Chicago or Washington, D.C., are only subject to the Code scales on hook-ups of two or more stations including the station of origination. The words "several stations," as used throughout this Code, are clarified and controlled by this paragraph, and no additional obligations are imposed by the addition of the words "several stations".
- (b) *Network Programs Originating Outside of Major Centers:* This Code shall apply to Traveling Shows, as the term is generally understood in the Industry, which normally originate at one of the production centers covered by this Code, regardless of the point of origination of the broadcast. This Code also shall apply to all persons covered by this Code on sports broadcasts produced by a signatory to this Code or to the letters of adherence and broadcast on the "network" regardless of the point of origination of the broadcast.
- (c) When a program is produced or co-produced by a signatory to this Code or to the letters of adherence for broadcast to the network but said program originates at a point other than New York, Chicago, Los Angeles, San Francisco or Washington, D.C., the terms and conditions of this Code (except the provisions of Paragraph 57 hereof when inapplicable under the Labor Management Relations Act, 1947, as amended) shall nevertheless apply to such network program. Excluded from the coverage of the preceding sentence are programs (but not cut-ins or feeds to other programs other than news cut-ins which are governed by the provisions of Paragraph 23 of this Code) in the field of news and public affairs; "remote" originations of events (such as a rodeo or sportscar races) which by their nature feature persons who are not performers within the meaning of this Code and which as a matter of course occur in the locality from which the broadcast originates; religious programs broadcast in connection with observance of particular religious holidays.

AFTRA agrees to consider and grant (when warranted) waivers of the provisions of this subparagraph (c) for network program originations in special circumstances.

- (c) All other events - Sportscasters \$389.25 (\$401.00 effective 11/16/99; \$413.00 effective 11/16/00; and \$425.25 effective 11/16/01); assistant sportscasters \$265.75 (\$273.75 effective 11/16/99; \$282.00 effective 11/16/00; and \$290.50 effective 11/16/01). Weekly guarantee: The weekly rate, maximum of seven (7) events pay or play, shall be not less than \$1096.00 (\$1,129.00 effective 11/16/99; \$1,162.25 effective 11/16/00; and \$1,197.75 effective 11/16/01) per week for the play-by-play sportscaster; \$701.50 (\$722.50 effective 11/16/99; \$744.25 effective 11/16/00; and \$766.50 effective 11/16/01) per week for the assistant sportscaster (color person). A week means any seven consecutive days.

An event is whatever the daily ticket of admission buys; however, no event covered by subparagraph (a) and (b) hereof shall be included as an event for the purposes of the weekly rate provided in subparagraph (c) hereof.

2003-2007  
AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO  
BROADCASTING

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement reflects the understanding reached between the parties during negotiations for a successor agreement to the 1998-2003 AFTRA National Code of Fair Practice for Commercial Radio Broadcasting (the "Code"). The provisions of this Memorandum represent modifications to the 1998-2003 Code, and except as modified herein or as may be necessary for conforming changes, all terms of the 1998-2003 Code and sideletters thereto are incorporated herein and shall remain unchanged.

1. Term of Agreement: Four (4) years, effective November 16, 2003 through November 15, 2007.
2. Rates and Fees: Increase all fees in Paragraphs 1, 3, 6, 7, 7A, 8, 17, 17A, 19, 23(a), 23(c), 24, 46 and 48 by three percent (3%) effective October 1, 2005 and by three percent (3%) effective October 1, 2006.

News insert and news service fees: Increase by three percent (3%) effective November 15, 2006.

The schedule of rates is attached to this Memorandum.

3. Re-Use and Re-Play of Recorded Programs (Paragraph 28):

Delete the final sentence from Paragraph 28(a).

Amend Paragraph 28, subparagraph (b)(ii) to read: "Producer may re-play any program produced on or after November 18, 1985."

Delete subparagraph (b)(iii) of Paragraph 28.

4. Health & Retirement Contributions (Paragraph 85):

Increase the contribution rate in Paragraph 85 from ten and one-half (10.5%) per cent to eleven (11%) per cent effective January 1, 2006, and to eleven and a half (11.5%) percent effective January 1, 2007.

Specify that contributions shall be allocated sixty-five (65%) per cent to the AFTRA Health Fund and thirty-five (35%) percent to the AFTRA Retirement Fund consistent with the AFTRA National Code of Fair Practice for Network Television Broadcasting.

Amend Paragraph 85 (a) to provide that the annual cap on earnings shall be \$210,000 effective January 1, 2006.

5. Internet: Add New Sideletters to the Code as follows:

A. Sideletter on AFTRA National Code of Fair Practice for Commercial Radio Broadcasting Programs Transmitted via the Internet

This Sideletter confirms the understanding of the American Federation of Television Artists ("AFTRA") and the Producers (collectively "the parties") concerning the application of the 2003 AFTRA National Code of Fair Practice for Commercial Radio Broadcasting ("AFTRA Code") to the distribution of covered entertainment radio programs of the type that have traditionally been produced under this or any previous AFTRA Code on or by means of the Internet or other similar delivery systems ("Internet").

1. License for Limited Period or Right to Listen for a Fixed Number of Times. When the subscriber pays for the program either on a subscription or per-program basis, and when the payment is in exchange for the right to listen to the radio program for a fixed and limited period of time or a fixed number of times, the Producer shall pay to the performers an aggregate sum equal to three and six-tenths percent (3.6%) of the license fee paid by the licensee for the right to distribute such radio program on the Internet. If there is only one performer on the program, the payment shall instead be one percent (1%) of the license fee.

When the Producer's receipts from the licensing of such distribution are received from an entity which acts as the distributor and in which the Producer has a financial interest, the reasonableness of the fee received by the Producer from the licensing of such distribution shall be determined by the distributor's license fee payments to unrelated entities for comparable radio programs.

The parties agree that the residuals due to performers under this paragraph 1 shall be payable in the same manner and to the same extent as applicable to those covered under paragraph 5 of Exhibit A ("Supplemental Markets") of the AFTRA Code.

2. Other Distributions. For all other Internet-transmitted distributions ("other distributions"), including a sale or license of the right to listen to the radio program for an unlimited time, the parties acknowledge that the markets for such other distributions are evolving, and that the basis for payment of residuals shall be determined at a later time. The parties reserve all of their respective legal positions with respect to such other distributions.

With respect to radio programs, the Producer has agreed to a separate payment for this use on the Internet because Internet distribution is at this time outside the primary market. The Producer reserves the right in future negotiations to contend that the pattern of release has changed so that this use constitutes or is a part of the primary market of distribution of radio programs, and that, therefore, no additional payment pursuant hereto should be made with respect to the distribution of radio programs (including those covered by this Code) on the Internet. AFTRA reserves the right in future negotiations to contend to the contrary, and further to assert that regardless of



whether other distributions are or have become part of the primary market, payment provisions for performers employed on the radio so distributed should be improved."

B. Sideletter on AFTRA National Code of Fair Practice for Commercial Radio Broadcasting Programs Made for the Internet:

This Sideletter confirms the understanding of the American Federation of Television and Radio Artists ("AFTRA") and the Producers (collectively "the parties") concerning the application of the 2003 AFTRA National Code of Fair Practice for Commercial Radio Broadcasting ("AFTRA Code"), to audio entertainment programs that are made for the Internet or other similar delivery systems ("Internet"). With respect to programs intended for initial use on the Internet, the parties agree as follows:

Part A - Letter of Adherence

Part A of this Sideletter authorizes a letter of adherence for Producers producing audio entertainment programs made for the Internet of the type that have traditionally been covered under the AFTRA Code as well as other types of programs.

A Producer, at its option, may execute a letter of adherence to cover any such program or multiple programs at the Producer's election, made for the Internet. The terms of the letter of adherence shall be binding upon the Union and the Producer, and shall require the Producer to make contributions on behalf of performers employed on such program(s) to the Health and Retirement Funds at the rates set forth in Paragraph 85 of the AFTRA Code. The provisions of Paragraph 59 ("Union Shop") of the AFTRA Code also shall apply. No other terms of the AFTRA Code shall apply to the employment of such performer, unless agreed in writing between the Union and the performer, on the one hand, and the Producer, on the other hand.

Part B - Meetings Between Parties

Upon either party's request, the parties shall meet on an individual producer or industry-wide basis to discuss developments in the production of original programming for the Internet. The purpose of such meetings shall be to freely exchange information regarding the types of programming being produced for the Internet, and the patterns of employment, economics and industry trends connected therewith.

Part C - Mutual Reservation of Rights

Nothing contained in this Sideletter shall be deemed a waiver of any party's legal position with respect to the application of this or any prior AFTRA Code to programs made for the Internet. The parties reserve all of their legal positions with respect to such programs.

For AFTRA:

\_\_\_\_\_  
Date

Kim Roberts Hedgpeth  
National Executive Director  
American Federation of Television and Radio Artists

For ABC, Inc.:

\_\_\_\_\_  
Date

Jeffrey Ruthizer  
Senior Vice President, Labor Relations  
ABC, Inc.

For: CBS Broadcasting Inc.:

\_\_\_\_\_  
Date

Harry Isaacs  
Senior Vice President, Labor Relations  
CBS Broadcasting Inc.



SCHEDULE OF RATES  
AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO BROADCASTING  
November 16, 2003 - November 15, 2007

Par 1. Actors: Program Fees

Broadcast Fee:	11/16/2003	10/1/2005	10/1/2006
Length of Program			
5 minutes or less	\$49.50	\$51.00	\$52.50
Over 5 to 15 minutes	\$53.00	\$54.50	\$56.25
Over 15 to 30 minutes	\$87.75	\$90.50	\$93.00
Over 30 to 60 minutes	\$123.75	\$127.50	\$131.25

Re-Broadcast Fee:

	11/16/2003	10/1/2005	10/1/2006
Length of Program			
5 minutes or less	\$26.00	\$26.75	\$27.50
Over 5 to 15 minutes	\$36.00	\$37.00	\$38.25
Over 15 to 30 minutes	\$45.00	\$46.25	\$47.75
Over 30 to 60 minutes	\$60.75	\$62.50	\$64.50

Par 3. 13 Week Continuous  
Guarantee

Single Broadcast Per Day	11/16/2003	10/1/2005	10/1/2006
Number of Appearances per Week			
5	\$332.25	\$342.25	\$352.50
4	\$318.00	\$327.50	\$337.25
3	\$254.50	\$262.25	\$270.12

Broadcast & Repeat	11/16/2003	10/1/2005	10/1/2006
Number of Appearances per Week			
5	\$444.75	\$458.00	\$471.75
4	\$396.75	\$408.75	\$421.00
3	\$365.00	\$376.00	\$387.25

Advance Recording plus Live Network Broadcast	11/16/2003	10/1/2005	10/1/2006
Number of Appearances per Week			
5	\$507.00	\$522.25	\$538.00
4	\$459.00	\$472.75	\$487.00
3	\$365.00	\$376.00	\$387.25

SCHEDULE OF RATES  
AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO BROADCASTING  
November 16, 2003 - November 15, 2007

Par. 6. Dramatized Serials Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	Re-Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
Length							
15 or less	\$36.00	\$37.00	\$38.25		\$17.75	\$18.25	\$18.75
15-30	\$48.25	\$49.75	\$51.25		\$24.00	\$24.75	\$25.50
30-60	\$59.75	\$61.50	\$63.50		\$29.75	\$30.75	\$31.50

Par. 7. Optional Method of  
Payment/Syndication

<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
\$73.25	\$75.50	\$77.75

Par. 7A. Standard Openings  
and Closings

	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
Actors	304.00	313.00	322.50 per performer
Solo/Duo	152.25	156.75	161.50 per performer
Singers: Group 3-8	91.25	94.00	96.75 per performer
Singers: Group 9 or more	72.75	75.00	77.25 per performer

**SCHEDULE OF RATES**  
**AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO BROADCASTING**  
November 16, 2003 - November 15, 2007

Par. 8 Singers Program Fees	Broadcast Fee		Re-Broadcast Fee		Broadcast Fee		Re-Broadcast Fee	
	11/16/2003	10/1/2005	10/1/2006	11/16/2003	10/1/2005	10/1/2006	11/16/2003	10/1/2006
5 min or less								
Soloists	\$99.25	\$102.25	\$105.25	\$33.75	\$34.75	\$35.75	\$33.75	\$35.75
Group of 2,3,4	\$75.50	\$77.75	\$80.00	\$21.25	\$22.00	\$22.75	\$21.25	\$22.75
Group of 5	\$65.25	\$67.25	\$69.25	\$20.25	\$20.75	\$21.50	\$20.25	\$21.50
Group of 6	\$62.00	\$63.75	\$65.75	\$20.25	\$20.75	\$21.50	\$20.25	\$21.50
Group of 7	\$50.50	\$52.00	\$53.50	\$19.00	\$19.50	\$20.25	\$19.00	\$20.25
Group of 8	\$48.25	\$49.75	\$51.25	\$19.00	\$19.50	\$20.25	\$19.00	\$20.25
Group of 9	\$47.25	\$48.75	\$50.25	\$17.00	\$17.50	\$18.00	\$17.00	\$18.00
Group of 10	\$45.00	\$46.25	\$47.75	\$17.00	\$17.50	\$18.00	\$17.00	\$18.00
Group of 11	\$44.00	\$45.25	\$46.75	\$17.00	\$17.50	\$18.00	\$17.00	\$18.00
Group of 12	\$41.50	\$42.75	\$44.00	\$17.00	\$17.50	\$18.00	\$17.00	\$18.00
Group of 13	\$40.50	\$41.75	\$43.00	\$17.00	\$17.50	\$18.00	\$17.00	\$18.00
Group of 14 or more	\$40.50	\$41.75	\$43.00	\$16.00	\$16.50	\$17.00	\$16.00	\$17.00
Over 5 to 15 minutes	Broadcast Fee		Re-Broadcast Fee		Broadcast Fee		Re-Broadcast Fee	
	11/16/2003	10/1/2005	10/1/2006	11/16/2003	10/1/2005	10/1/2006	11/16/2003	10/1/2006
Soloists	\$131.75	\$135.75	\$139.75	\$48.50	\$50.00	\$51.50	\$48.50	\$51.50
Group of 2,3, or 4	\$96.75	\$99.75	\$102.75	\$33.75	\$34.75	\$35.75	\$33.75	\$35.75
Group of 5	\$84.50	\$87.00	\$89.75	\$31.50	\$32.50	\$33.50	\$31.50	\$33.50
Group of 6	\$76.50	\$78.75	\$81.25	\$30.25	\$31.25	\$32.00	\$30.25	\$32.00
Group of 7	\$63.00	\$65.00	\$66.75	\$28.25	\$29.00	\$30.00	\$28.25	\$30.00
Group of 8	\$59.50	\$61.25	\$63.00	\$27.00	\$27.75	\$28.75	\$27.00	\$28.75
Group of 9	\$55.25	\$57.00	\$58.50	\$26.00	\$26.75	\$27.50	\$26.00	\$27.50
Group of 10	\$53.00	\$54.50	\$56.25	\$26.00	\$26.75	\$27.50	\$26.00	\$27.50
Group of 11	\$50.50	\$52.00	\$53.50	\$24.75	\$25.50	\$26.25	\$24.75	\$26.25
Group of 12	\$48.50	\$50.00	\$51.50	\$24.75	\$25.50	\$26.25	\$24.75	\$26.25
Group of 13	\$48.50	\$50.00	\$51.50	\$24.75	\$25.50	\$26.25	\$24.75	\$26.25
Group of 14 or more	\$46.25	\$47.75	\$49.00	\$24.75	\$25.50	\$26.25	\$24.75	\$26.25

**SCHEDULE OF RATES**  
**AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO BROADCASTING**  
November 16, 2003 - November 15, 2007

	Broadcast Fee	11/16/2003	10/1/2005	10/1/2006	Re-Broadcast Fee	11/16/2003	10/1/2005	10/1/2006
Over 15 to 30 minutes								
Soloists		\$160.25	\$165.00	\$170.00		\$56.25	\$58.00	\$59.75
Group of 2,3, or 4		\$112.50	\$116.00	\$119.25		\$40.50	\$41.75	\$43.00
Group of 5		\$99.25	\$102.25	\$105.25		\$35.00	\$36.00	\$37.25
Group of 6		\$93.50	\$96.25	\$99.25		\$35.00	\$36.00	\$37.25
Group of 7		\$74.25	\$76.50	\$78.75		\$32.50	\$33.50	\$34.50
Group of 8		\$71.00	\$73.25	\$75.25		\$31.50	\$32.50	\$33.50
Group of 9		\$67.50	\$69.50	\$71.50		\$29.25	\$30.25	\$31.00
Group of 10		\$63.00	\$65.00	\$66.75		\$29.25	\$30.25	\$31.00
Group of 11		\$59.50	\$61.25	\$63.00		\$27.00	\$27.75	\$28.75
Group of 12		\$56.25	\$58.00	\$59.75		\$27.00	\$27.75	\$28.75
Group of 13		\$53.00	\$54.50	\$56.25		\$26.00	\$26.75	\$27.50
Group of 14 or more		\$52.00	\$53.50	\$55.25		\$24.75	\$25.50	\$26.25
Over 30 to 45 Minutes								
Soloists		\$195.75	\$201.50	\$207.75		\$65.25	\$67.25	\$69.25
Group of 2,3, or 4		\$130.50	\$134.50	\$138.50		\$46.25	\$47.75	\$49.25
Group of 5		\$115.75	\$119.25	\$122.75		\$40.50	\$41.75	\$43.00
Group of 6		\$105.75	\$109.00	\$112.25		\$39.25	\$40.50	\$41.75
Group of 7		\$85.50	\$88.00	\$90.75		\$37.25	\$38.25	\$39.50
Group of 8		\$81.25	\$83.75	\$86.25		\$35.00	\$36.00	\$37.25
Group of 9		\$75.50	\$77.75	\$80.00		\$35.00	\$36.00	\$37.25
Group of 10		\$72.00	\$74.25	\$76.50		\$32.50	\$33.50	\$34.50
Group of 11		\$68.50	\$70.50	\$72.75		\$31.50	\$32.50	\$33.25
Group of 12		\$67.50	\$69.50	\$71.50		\$29.25	\$30.25	\$31.00
Group of 13		\$60.75	\$62.50	\$64.50		\$29.25	\$30.25	\$31.00
Group of 14 or more		\$58.50	\$60.25	\$62.00		\$29.25	\$30.25	\$31.00
Over 45 to 60 minutes								
Soloists		\$227.25	\$234.00	\$241.00		\$73.25	\$75.70	\$77.75
Group of 2,3, or 4		\$146.50	\$151.00	\$155.50		\$52.00	\$53.50	\$55.25
Group of 5		\$131.50	\$135.50	\$139.50		\$46.25	\$47.50	\$49.00
Group of 6		\$121.50	\$125.25	\$129.00		\$45.00	\$46.25	\$47.75
Group of 7		\$97.75	\$100.75	\$103.75		\$41.75	\$43.00	\$44.25
Group of 8		\$92.25	\$95.00	\$97.75		\$40.50	\$41.75	\$43.00
Group of 9		\$85.50	\$88.00	\$90.75		\$39.25	\$40.50	\$41.75
Group of 10		\$81.00	\$83.50	\$86.00		\$36.00	\$37.00	\$38.25
Group of 11		\$81.00	\$83.50	\$86.00		\$35.00	\$36.00	\$37.25
Group of 12		\$72.00	\$74.25	\$76.50		\$35.00	\$36.00	\$37.25
Group of 13		\$68.75	\$70.75	\$73.00		\$33.75	\$34.75	\$35.75
Group of 14 or more		\$65.25	\$67.25	\$69.25		\$33.75	\$34.75	\$35.75

SCHEDULE OF RATES  
AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO BROADCASTING  
November 16, 2003 - November 15, 2007

Par. 12. Signature Numbers	Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	<u>Re-Broadcast Fee</u>	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
		\$23.00	\$23.00	\$23.00		\$11.50	\$11.50	\$11.50
Par. 17. Announcers Program Fees	Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	<u>Re-Broadcast Fee</u>	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
15 minutes or less		\$56.25	\$58.00	\$59.75		\$37.25	\$38.50	\$39.50
Over 15 to 30 minutes		\$93.50	\$96.25	\$99.25		\$47.25	\$48.75	\$50.25
Over 30 to 60 minutes		\$131.75	\$135.75	\$139.75		\$65.25	\$67.25	\$69.25
Par. 17A. Show Announcers Program Fees	Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	<u>Re-broadcast Fee</u>	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
15 minutes or less		\$52.50	\$54.00	\$55.75		\$34.75	\$35.75	\$36.75
Over 15 to 30 minutes		\$87.25	\$89.75	\$92.50		\$44.00	\$45.25	\$46.75
Over 30 to 60 minutes		\$122.75	\$126.50	\$130.25		\$61.00	\$62.75	\$64.75
Par. 19. Announcers: 13-Week Guaranteed Terms								
Minimum Weekly Compensation - Broadcast Fee								
Times Per Week	Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	<u>Re-Broadcast Fee</u>	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
5		\$311.00	\$320.25	\$330.00		\$154.00	\$158.50	\$163.50
6		\$365.75	\$376.75	\$388.00		\$176.75	\$182.00	\$187.50
Par. 20. Network Cut-in Commercials		<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>				
		\$18.75	\$18.75	\$18.75				
Par. 21. Hitchhike/Cowcatchers Program Length		<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>				
15 min		\$19.00	\$19.00	\$19.00				
30 min		\$26.00	\$26.00	\$26.00				
60 min		\$32.25	\$32.25	\$32.25				

**SCHEDULE OF RATES**  
**AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO BROADCASTING**  
November 16, 2003 - November 15, 2007

Par. 23 - Announcers and News Reporters									
Par 23(a)		<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>		<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	<u>10/1/2006</u>
		\$164.50	\$169.50	\$174.50					
Par 23(c)		<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	Re-Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>	
Program Length	Broadcast Fee	\$78.75	\$81.00	\$83.50		\$37.25	\$38.00	\$39.25	
5 minutes or less		\$85.25	\$87.75	\$90.50		\$42.50	\$43.75	\$45.00	
Over 5 to 10 minutes		\$86.25	\$88.75	\$91.50		\$46.00	\$47.50	\$48.75	
Over 10 to 15 minutes		\$107.00	\$110.25	\$113.50		\$62.25	\$64.00	\$66.00	
Over 15 to 30 minutes		\$139.75	\$144.00	\$148.25		\$65.50	\$67.50	\$69.50	
Over 30 to 60 minutes		\$174.00	\$179.25	\$184.50		\$78.75	\$81.00	\$83.50	
Over 60 to 90 minutes		\$207.50	\$213.75	\$220.25		\$96.25	\$99.25	\$102.00	
Over 90 to 120 minutes									
5 minute local news broadcasts, not less than two per day, originating in New York City		\$27.25	\$28.00	\$29.00					
10 to 15 minute local news broadcasts originating in New York City		\$87.50	\$90.25	\$92.75					
Par 23(d)		<u>11/16/2003</u>	<u>11/16/2006</u>						
Local programs of 5 minutes or less broadcast on one station in New York City		\$38.25	\$39.50						
Par 23(e)		<u>11/16/2003</u>	<u>11/16/2006</u>						
Announcers or News Reporters on Local Programs of 5 minutes or less on one station in New York City		\$36.00	\$37.00						
Par 23(f)		<u>11/16/2003</u>	<u>11/16/2006</u>						
News cut-ins released to one station in NYC:		\$33.00	\$34.00						
	additional seven days	\$25.00	\$25.75						
Par 23 (g)		<u>11/16/2003</u>	<u>11/16/2006</u>						
Local News cut-ins (NYC):		\$51.25	\$52.75						
	additional seven days	\$38.00	\$39.25						

SCHEDULE OF RATES  
AFTRA NATIONAL CODE OF FAIR PRACTICE FOR COMMERCIAL RADIO BROADCASTING  
November 16, 2003 - November 15, 2007

Par. 23(i) News Service:		<u>11/16/2003</u>	<u>11/16/2006</u>	
maximum per day		\$27.50	\$28.25	
		\$55.00	\$56.75	
Par. 24. Sportscasters		<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
(a) Championship Events	Sportscasters:	\$614.75	\$633.25	\$652.25
	Asst Sportscasters	\$432.25	\$445.25	\$458.50
(b) MLB Double Headers	Sportscasters:	\$495.25	\$510.00	\$525.50
	Asst Sportscasters	\$354.50	\$365.25	\$376.00
(c) All other events	Per Event:	\$425.25	\$438.00	\$451.25
	Asst Sportscasters	\$290.50	\$299.25	\$308.25
	Weekly Rate:	\$1,162.75	\$1,197.75	\$1,233.50
	Asst Sportscasters	\$766.50	\$789.50	\$813.25
Par. 30 Promos (Other than singers)		\$139.25	\$139.25	\$139.25
Par. 30 Promos (Singers)		\$139.25	\$139.25	\$139.25
Solo/Duo		\$91.25	\$91.25	\$91.25
Grp 3-8		\$72.75	\$72.75	\$72.75
Grp 9+				
Par 46. Extras and Supernumeraries	Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
		\$17.00	\$17.50	\$18.00
	Re-Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
		\$11.25	\$11.75	\$11.75
48. Dramatic Signatures	Broadcast Fee	<u>11/16/2003</u>	<u>10/1/2005</u>	<u>10/1/2006</u>
Five programs per week:		\$117.00	\$120.50	\$124.25
Single Broadcast:		\$24.00	\$24.75	\$25.50
49. Warm Ups		\$31.00	\$31.00	\$31.00

# **EXHIBIT C**





# American Federation of Television and Radio Artists

NEW YORK LOCAL

260 MADISON AVENUE, NEW YORK, N.Y. 10016 • (212) 532-0800 FAX (212) 545-1238

STEPHEN BURROW  
Executive Director

ROBERTA REARDON  
President

ANNE GARTLAN  
1st Vice President

DAN INGRAM  
2nd Vice President

ED FRY  
3rd Vice President

JANETTE GAUTIER  
4th Vice President

FRANK SIMMS  
5th Vice President

MITCHELL MCGUIRE  
Treasurer

LAINIE COOKE  
Recording Secretary

## BOARD OF DIRECTORS

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Roz Abrams  
Polly Adams  
Russ Anderson  
David Browde  
Elaine Caswell  
Lainie Cooke  
Roseanne Collett  
Wendell Craig  
Roger Crouthamel  
Richard Ferrone  
Ed Fry  
L.J. Ganser  
Anne Gartlan  
Janette Gautier  
Liz Gonzalez  
Don Gould  
Holter Graham  
Martha Greenhouse  
Dan Ingram  
Joyce Korbin  
Ruth Last  
Elaine LeGaro  
Henry Leyva  
James Lurie  
John Margolis  
Arlene Martell  
Larry Marx  
Mitchell McGuire  
Kara Denise Moore  
Harry Pearce  
Eric Rath  
Roberta Reardon  
Catherine Russell  
Tom Shillue  
Frank Simms  
Tim Tyrrell  
Joan Valentina  
Tom Wiggan  
Sally Winters

Associate  
Executive Director  
RICHARD T. LARKIN

Assistant  
Executive Directors  
RALPH BRAUN  
TERRY CASALETTA  
PETER FUSTER

Executive Assistants  
CONSTANCE BEST  
ANN BURDICK  
YVONNE COSTAGLIOLA  
DEBRA GIBGOT  
VICTORIA PISTONE  
DAVID SALVADOR

Director of Finance  
KEN HAUG

November 28, 2006

Rocky Nath  
American Arbitration Association  
1633 Broadway  
New York, NY 10019

Re: AFTRA, NY Local and Buckley Broadcasting Corp.

Dear Mr. Nath:

As per the parties neutral request, please hold this case in abeyance for 45 days.

Sincerely,

Sean Taylor  
Assistant Executive Director/  
House Counsel

Cc: William Zuckerman